

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
By: ANNA ARREOLA
Assistant United States Attorney
One St. Andrew's Plaza -- 3rd Floor
New York, New York 10007
Tel. (212) 637-2218

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
UNITED STATES OF AMERICA, :

Plaintiff, : NOTICE OF MOTION FOR
 : DEFAULT JUDGMENT
- v - :
 : 07 Civ. 7034 (LAK)
\$149,820.00 IN UNITED STATES :
CURRENCY, :
 :
Defendant-in-rem. :
-----x

PLEASE TAKE NOTICE that upon the declaration of Anna E. Arreola, Assistant United States Attorney, dated June 4, 2008; upon the Clerk's Certification of default (attached hereto as Exhibit A); upon the accompanying proposed Default Judgment (attached hereto as Exhibit B); and upon all prior proceedings herein; plaintiff will move this Court before the Honorable Lewis A. Kaplan, United States District Judge, United States Courthouse, Courtroom 12D, 500 Pearl Street, New York, New York 10007, on submission, for an order pursuant to Rule 55(b)(2) of the Federal rules of Civil Procedure granting default judgment on

favor of the plaintiff, United States of America, and forfeiting the defendant-in-rem to the United States of America and for such other relief as is just and proper.

Dated: New York, New York
June 4, 2008

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for Plaintiff
United States of America

By: _____/s/_____
ANNA E. ARREOLA
Assistant U.S. Attorney
One St. Andrew's Plaza
New York, New York 10007
Tel. (212) 637-2218

AFFIDAVIT OF SERVICE

I, Corinne L. Scalogna, affirm, under penalty of perjury pursuant to 28 U.S.C. § 1746, the following:

I am employed with FSA in the office of Michael J. Garcia, United States Attorney for the Southern District of New York.

On June 4, 2008, a copy of the Notice of Motion for Default Judgment, the Clerk's Certification, the Government's proposed Default Judgment and the Government's Declaration in Support of Default Judgment were sent, by certified mail, return receipt requested, to:

Leon Schydlower, Esq.
303 Texas Avenue, 9th floor
El Paso, Texas 79901

Alonso Salazar-Rosas, #63020-097
FCI LOMPOC
Federal Correctional Institution
3600 Guard Road
Lompoc, California 93436

Executed on: June 4, 2008
New York, New York



CORINNE L. SCALOGNA

Exhibit A

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
By: ANNA ARREOLA
Assistant United States Attorney
One St. Andrew's Plaza, 3rd Floor
New York, New York 10007
Tel. (212) 637-2218

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA, :

Plaintiff, :

- v - : CLERK'S CERTIFICATION
: 07 Civ. 7034 (LAK)
\$149,820.00 IN UNITED STATES :
CURRENCY, :
:
Defendant-in-rem.
-----X

I, Michael McMahon, Clerk of the United States District Court for the Southern District of New York, hereby certify that the docket entries in the above-captioned case indicate that the verified complaint herein was filed on August 6, 2007, and that proof of publication was filed in the Clerk's office on February 8, 2008. No party has filed a claim or answer or otherwise moved with respect to the defendant-in-rem, and the time to file a claim with respect to the said property has expired. The default of all persons is hereby noted.

Dated: New York, New York
June 4, 2008



J. Michael McMahon
CLERK OF THE COURT

Exhibit B

MICHAEL J. GARCIA
 United States Attorney for the
 Southern District of New York
 By: ANNA ARREOLA
 Assistant United States Attorney
 One St. Andrew's Plaza, 3rd Floor
 New York, New York 10007
 Tel. (212) 637-2218

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----x	
UNITED STATES OF AMERICA,	:
	:
Plaintiff,	:
	:
- v -	:
	:
\$149,820.00 IN UNITED STATES	:
CURRENCY,	:
	:
Defendant-in-rem.	:
-----x	

DEFAULT JUDGMENT
 07 Civ. 7034 (LAK)

WHEREAS, on August 6, 2007, the United States commenced a civil action for the forfeiture of the above-referenced defendant-in-rem (the "Defendant Currency") by the filing of a verified complaint;

WHEREAS, on or about October 24, 2007, notice of the verified complaint was sent by certified mail to Alonso Salazar-Rosas ("Salazar") at FCI LOMPOC, Federal Correctional Institution, 3600 Guard Road, Lompoc, California 93436, and by certified mail to his attorney, Leon Schydlower, Esq., 303 Texas Avenue, 9th Floor, El Paso, Texas 79901;

WHEREAS, the foregoing are the only people known by the Government to have a potential interest in the Defendant

Currency;

WHEREAS, notice of the verified complaint and in rem warrant against the Defendant Currency was published in the New York Law Journal on December 7, 2007, December 14, 2007 and December 21, 2007, and proof of such publication was filed with the Clerk of this Court on February 8, 2008;

WHEREAS, no claims or answers have been filed or made in this judicial forfeiture action, and the requisite time periods in which to do so, as set forth in 18 U.S.C.

§ 983(a)(4)(A) and Rule G of the Supplement Rules for Admiralty or Maritime Claims and Asset Forfeiture Claims, have expired;

NOW THEREFORE, on the motion of Michel J. Garcia, United States Attorney for the Southern District of New York, attorney for the plaintiff United States of America, by Assistant United States Attorney Anna E. Arreola, of counsel;

IT IS HEREBY ORDERED THAT:

1. Plaintiff United States of America shall have judgment by default against the Defendant Currency.

2. The Defendant Currency shall be, and the same hereby is, forfeited to the plaintiff United States of America.

3. The United States Marshals Service shall dispose of the Defendant Currency according to law.

Dated: New York, New York
June __, 2008

SO ORDERED:

HONORABLE LEWIS A. KAPLAN
UNITED STATES DISTRICT JUDGE